

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

I. DISPUTE

1. a. Whether there should be additional reimbursement for date of service, 7-17-01.
- b. The request was received on 7-9-02.

II. EXHIBITS

1. Requestor, Exhibit I:
 - a. Initial TWCC 60
 1. EOB
 2. UB-92s
 - b. There is no response to the request for additional documentation found in the file.
 - c. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.
2. Respondent, Exhibit II:

Based on Commission Rule 133.307 (g) (4), the Division notified the Requestor with a copy to the insurance carrier Austin Representative of the Requestor's requirement to submit two copies of additional documentation relevant to the fee dispute on 7-16-02. There is no Carrier initial or 14 day response to this medical fee dispute noted in the file.

III. PARTIES' POSITIONS

1. Requestor: No position statement.
2. Respondent: No position statement.

IV. FINDINGS

1. Based on Commission Rule 133.307(d)(1&2), the only (DOS) eligible for review is 7-17-01.
2. The amount billed per the TWCC-60 is \$5,495.56.
3. The amount paid per the TWCC-60 is \$376.72. The amount in dispute per the TWCC-60 is \$5,118.84.
4. This decision is being written based on the documentation that was in the file at the time it was assigned to this Medical Dispute Resolution Officer.

V. RATIONALE

Medical Review Division's rationale:

The Requestor has submitted a UB-92 for ambulatory surgical services for date of service 7-17-01. The bill in dispute is broken down into HCPCS Codes for surgical supplies and injectables. However, the total is considered the facility fees (what the facility charged for providing the facility, equipment and supplies in order for the surgical procedure to be done).

The carrier has denied the charges in dispute as “5 – G – Unbundling/Reimbursement based on or included in the basic allowance of the appropriate procedure; 705 – M – No MAR/ASC reimbursement is based on fees established to be fair and reasonable in your geographical area; 907 – N – Not appropriately documented/Texas required bill identification.” The Medical Review Division’s decision is rendered based on denial codes submitted to the Provider prior to the date of this dispute being filed.

However, when determining whether or not additional reimbursement is warranted, the Medical Review Division must first determine that the services were rendered as billed. After review of the dispute file, no documentation was noted to support the services billed. **No** reimbursement is recommended.

The above Findings and Decision are hereby issued this 23rd day of August 2002.

Lesa Lenart, RN
Medical Dispute Resolution Officer
Medical Review Division

LL/II

This document is signed under the authority delegated to me by Richard Reynolds, Executive Director, pursuant to the Texas Workers’ Compensation Act, Texas Labor Code Sections 402.041 - 402.042 and re-delegated by Virginia May, Deputy Executive Director.